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## Fifth Committee

**Summary record of the 23rd meeting**
Held at Headquarters, New York, on Monday, 1 December 2003, at 10 a.m.

*Chairman*: Mr. Kmoníček ..... (Czech Republic)
*Chairman of the Advisory Committee on Administrative and Budgetary Questions*: Mr. Mselle

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*The meeting was called to order at 10.05 a.m.*

**Agenda item 59: Strengthening of the United Nations system** (*continued*) (A/58/600 and A/58/610)

1. **Mr. Halbwachs** (Controller), introducing the note by the Secretary-General on improvements to the current process of planning and budgeting (A/58/600), said that it had been issued in response to a formal request for information made by the Committee at its 19th meeting on 17 November 2003. The note contained mock-ups of a two-part strategic framework which would replace the current format of the medium-term plan and programme budget outline. Those mock-ups had been provided to illustrate the very limited changes in format which would arise from the proposed synchronization of the budget cycle with the outline cycle.

2. The Advisory Committee on Administrative and Budgetary Questions (ACABQ) had made comments and observations on those proposals in document A/58/7/Add.5, but they had not been addressed in the note under consideration, which was intended simply to respond to the request of the Fifth Committee for mock-ups to illustrate the proposed changes. For further information on issues such as the timing of the consideration of the biennial programme plan and the budget outline, the duration of the plan, the plan as an instrument of policy and monitoring and evaluation, he referred the members of the Committee to the paper dated 13 November 2003 which had been supplied for the informal meetings.

3. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions) drew the attention of the Committee to the recommendations and comments in paragraphs 7 to 11 of the related report of the Advisory Committee (A/58/610), which referred to issues that had not been clarified in the note of the Secretary-General (A/58/600) and which the Advisory Committee had raised in its earlier report (A/58/7/Add.5).

4. The Controller had just reminded the Committee that it had received fuller written clarification at its informal meetings. However, consistent with the practice followed in the past, the Advisory Committee considered that details concerning such an important an issue should appear in a formal published document which could be used as a reference in the future. Notwithstanding that comment, the Advisory Committee regarded the changes currently proposed to be minimal. If the General Assembly wished to take action on them, the Advisory Committee was prepared to make further comments and recommendations once the programme plan and budget outline had been presented to it for consideration.

5. **Ms. Goicochea** (Cuba) said that the note by the Secretary-General (A/58/600) indicated that it had been issued pursuant to a request made at the Committee's 19th meeting; that posed a serious procedural problem, for the Committee had not taken any decisions on the item at that meeting. She requested that the summary record of the 19th meeting should be circulated as promptly as possible in order to clarify the matter. The Committee should proceed with due caution and ensure that its eventual decision took into account the interests of all Member States. Her delegation had reaffirmed many times its readiness to consider any measures which would enable the Organization to respond fully to the wishes of its Members and it had taken part in a spirit of cooperation with other Members and the Secretariat in the negotiation of General Assembly resolution 57/300. The monitoring of the implementation of that resolution must be conducted with due transparency, integrity and confidence.

6. Measures to improve the current process of planning and budgeting were very important but must not lead to the elimination or impairment of bodies or instruments just because some countries or groups regarded them as ineffective, obsolete or of marginal importance. The current process was the result of detailed intergovernmental negotiations, manifested in particular in the agreement contained in resolution 41/213. Bringing pressure to bear for the adoption of decisions which violated that agreement might cause a serious breakdown of confidence among Member States. As the Advisory Committee had pointed out in its earlier report (A/58/7/Add.5), the General Assembly must provide guidance for the mock-ups to enable the Committee to decide whether the proposed changes were acceptable. Moreover, the documents prepared by the Secretary-General should have included an analysis of the current shortcomings in the process.

7. Consideration of the proposals should therefore be deferred until the fifty-ninth session so that all the implications could be properly studied. It would also be useful for summary records to be produced for all meetings, regardless of their status, at which the reform was under discussion.

8. **Mr. Pulido León** (Venezuela) said that the Organization must thoroughly reformulate its current planning and budgeting process to make it faster and more effective. His delegation had experienced some frustration on examining the mock-ups which the Secretariat had provided because they represented only a modest change.

9. As the report of the Advisory Committee (A/58/610) confirmed, the additional information on the effects of the proposed changes was vague. He asked for more details to be provided at a formal meeting of the Fifth Committee, particularly on the issues raised in paragraphs 7 and 8 of that report.

10. His delegation was itself committed to reform, and had thought that the Secretariat shared that view. However, he and other members of the Committee felt that the proposals before them lacked detail. If their doubts were to be dispelled, they would need more information.

11. **Mr. Kramer** (Canada), speaking also on behalf of Australia and New Zealand, said that, for once, they differed with the Advisory Committee's view: the note of the Secretary-General and the supplementary information circulated to the Committee did respond reasonably well to the few substantive points raised by the Advisory Committee in its earlier report (A/58/7/Add.5). Paragraph 4 of the latest report of the Advisory Committee (A/58/610) suggested that the Secretary-General had submitted the mock-ups without guidance from the General Assembly. But no guidance could have been given without the mock-ups because delegations were uncertain about what they were dealing with; the speedy production of the mock-ups had facilitated rather than pre-empted decision-making. The process suggested by ACABQ in paragraph 7 of its earlier report might inadvertently have deferred any change for four years because there was a risk of missing the next cycle; there was now no reason for that to happen.

12. The timing outlined by the Secretary-General on page 5 of the paper containing supplementary information sensibly reflected the Advisory Committee's suggestion that the budget outline should be prepared after the biennial programme plan had been considered. The Advisory Committee was right to argue that the new document looked much like its predecessor and did not address all the shortcomings outlined in the report of the Secretary-General on the strengthening of the United Nations: an agenda for further change (A/57/387) and subsequent papers, but the important changes lay in the cycle, not in the appearance of the documents. The cycle itself was being made more strategic and responsive to the need for Member States to participate more effectively. The first positive aspect of the proposals was the strategic connection established between programme planning and resource planning; at present the budget outline was not inherently influenced by planning decisions. The second was that the two-year horizon permitted more responsive budgeting and removed the need for the Committee for Programme and Coordination to review the programme budget. The shorter time horizon would also lead to a more purposeful and strategic plan. Improvements were needed in the performance reporting arrangements, even outside the context of revision of the budget cycle. The Secretary-General's proposals would enhance evaluation, in particular by enabling the Committee for Programme and Coordination to give more attention to that subject.

13. Despite their virtues, the proposals fell short of the Secretary-General's own ambitions and far short of those of the three delegations for which he spoke, for they represented only a modest improvement. The hopes for more substantial improvement had been trimmed back because the initial proposals had seemed too radical to some. The proposals should not now be rejected on the grounds that they were too conservative.

14. **Mr. Kelapile** (Botswana), speaking on behalf of the African Group, said that improving the current process of planning and budgeting was important, and the African Group wished to contribute to the debate on that matter. However, it was still considering the report of the Advisory Committee (A/58/610) and trying to formulate a position on the Secretariat's proposals. It asked the officers of the Committee to schedule a further formal meeting to continue discussion of those proposals, so that delegations would have time to consult their capitals and regional groups.

15. **Mr. Stoffer** (United States of America) said that his delegation associated itself with the statement made by the representative of Canada, which had stressed that the proposed changes to the current planning and budgeting process were modest. It was better to take small but immediate steps to implement reform, and thus have a chance of improving the establishment of

the budget for the biennium 2006-2007. If the Organization delayed taking action, its next opportunity to act would not come until 2008-2009. A five-year delay was unacceptable.

16. The Secretary-General had committed himself to budget reform. The Secretariat had described how the programme budget and budget outline cycles would be synchronized. The reforms would enable managers for the first time to match their use of resources to the availability of such resources, and to give the Committee for Programme and Coordination a stronger monitoring and evaluation role. The Committee's remaining time was limited and it must act fast. He saw no need for a further formal meeting to discuss the matter.

17. **Mr. Halbwachs** (Controller), responding to the request of the representative of Venezuela for the comments of the Advisory Committee to be addressed at a formal meeting, repeated his assertion that the note he had introduced (A/58/600) contained only the information which the Fifth Committee had requested at its 19th meeting. The written information dated 13 November 2003 had, however, been prepared to respond to the Advisory Committee's comments, providing details of the timing of the consideration of the programme budget and budget outline and of how the medium-term plan could be made an instrument of policy. Meanwhile, paragraph 25 of the report of the Secretary-General on improvements to the current process of planning and budgeting (A/58/395) described the level of detail on output and resource requirements which the Member States could expect to see in the budget fascicle.

18. **Mr. Elnaggar** (Egypt) said that requests from the Fifth Committee or the Advisory Committee for clarification should receive a response in writing and be translated so that they could be considered in detail and returned to in the future if necessary. To prevent change from becoming an end in itself, reforms must be thoroughly analysed. No analysis or decision was possible without specific information.

19. **Mr. Tal** (Jordan) said that the Committee did not have much time left in which to conclude its business and the questions of many members of the Committee remained unanswered. The Secretariat had proposed reforms which, although very modest, were still worth implementing. He supported the request of the representative of Botswana, on behalf of the African Group, for more time to be allowed for debate and consultation with capitals. That would make the task of preparing a draft resolution easier.

**Agenda item 121: Proposed programme budget for the biennium 2004-2005** (*continued*)

*Administration and management of the Office of the United Nations High Commissioner for Human Rights (continued) (A/58/7/Add.12 and A/58/569)*

20. **Mr. Yamanaka** (Japan) said that the Office of the United Nations High Commissioner for Human Rights (OHCHR) played an important role and must become more effective and efficient. He had been encouraged by the improvements in management at the Office, but was concerned to learn that it had implemented only 3 of the 17 recommendations which the Office of Internal Oversight Services had made in its management review (A/57/488). He would like more information on the current situation with regard to posts filled under the 200 series of the staff rules and on the issues to which the representative of Cuba had referred at the previous meeting (A/C.5/58/SR.22).

21. **Mr. Kramer** (Canada), speaking also on behalf of New Zealand and Australia, said that the action resulting from the measures proposed in the Secretary-General's report on an agenda for further change (A/57/387) and the management review initiated two years earlier, not least in the report of the Office of Internal Oversight Services (A/57/488), were improving the capacity of OHCHR to carry out the human rights mandates stemming from the Charter. While OHCHR was making a significant contribution, it could not cope with its increasing burden without commensurate budgetary resources: the Office of Internal Oversight Services had observed that much of the strain on OHCHR was due to that disparity. Member States must therefore be disciplined in assigning tasks to OHCHR and provide the necessary resources.

22. The managerial improvements recommended by the Office of Internal Oversight Services would require the attention OHCHR for some time, but the basic framework for their implementation was in place, even if only three of the recommendations had so far been acted upon. The clear vision of OHCHR of systems for the protection of human rights at the country level represented an important shift which would take

advantage of its core expertise. Despite significant progress, much remained to be done by the treaty bodies themselves to improve the implementation of the treaties. The improvements in the annual appeal and the annual report on voluntary contributions were welcome. The new structure of OHCHR was more coherent and the duties of the Deputy High Commissioner were set out more clearly; the three delegations for which he spoke would like to know whether the recommendations of the Office of Internal Oversight Services that he should oversee the policy planning unit and the integration of information technology into support services had been implemented. All special procedures should now be brought under the umbrella of the new Special Procedures Branch.

23. The clarity of the Secretary-General's account of the reform of OHCHR and the resource proposals set out in the programme budget, together with the comments and recommendations made by ACABQ, would enable the Committee to take informed decisions on the item.

24. **Mr. Tchatchaichawalit** (Officer-in-charge of the Economic, Social and Human Rights Service, Office of Programme Planning, Budget and Accounts), responding to the question put by the representative of Canada, said that the three recommendations of the Office of Internal Oversight Services mentioned specifically in the report had been fully implemented; that Office was being kept informed regarding the implementation of the others.

25. Turning to questions raised at the 22nd meeting, he said that certain Geneva posts had been converted from the 200 to the 100 series of the staff rules in response to a recommendation of the Office of Internal Oversight Services. The Human Resources Management Service in Geneva was working to change the contractual status of the staff members concerned. There would be no change in the source of funding for the posts, and the 200 series would still apply to staff providing technical assistance, especially field staff.

26. In view of the increased workload, it was felt that the Petitions Unit should be headed by a staff member at the P-5 level in order to ensure the efficient implementation of the mandated activities.

27. The D-2 post of Chief of Staff, proposed in response to recommendation 12 of the Office of Internal Oversight Services, was intended to ensure the integration of the inputs from the Office's substantive services and to provide timely advice and information to the High Commissioner and his Deputy. The Chief of Staff would also be responsible for liaison with Governments, other United Nations agencies and international and regional institutions dealing with human rights at the policy level, as well as for maintaining close contacts with the Executive Office of the Secretary-General and other Headquarters offices.

28. The External Relations Branch would be responsible for developing communication and resource-mobilization strategy and for conducting awareness projects and campaigns.

29. He would provide information about the Office's staff numbers by contract type and nationality at the next informal meeting.

*The meeting rose at 10.55 a.m.*